

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

DIVISION

Bobby Joe Steward)
)
1900 Mackey Ferry Road)
)
MT. VERNON, IN 47620)
(Enter above the full name of the Plaintiff[s])
in this action.))
)
)
)
)

- vs -

(#1) WEST ASSET MANAGEMENT, INC.)
)
P.O. BOX 790185, ST. LOUIS, MO 63179-0185)

Case No. _____
(To be assigned by Clerk
of District Court)

(#2) AMERICAN STUDENT ASSISTANCE)
)
P.O. BOX 55215)
)
BOSTON, MA 02205-5215)

(Enter above the full name of ALL Defend-)
ant[s] in this action. Fed. R. Civ. P. 10(a))
requires that the caption of the complaint)
include the names of all the parties. Merely)
listing one party and "et al." is insufficient.)
Please attach additional sheets if necessary.)

COMPLAINT

- I. State the grounds for filing this case in Federal Court (include federal statutes and/or U.S. Constitutional provisions, if you know them):

RECOVERY OF STUDENT LOANS (152)
RACKETEER INFLUENCED & CORRUPT ORGANIZATIONS (470)
FAILURE TO COMPLY WITH SPECIFIC PROVISIONS OF
THE HIGHER EDUCATION OPPORTUNITY ACT (HEOA), MORE
SPECIFICALLY, THE SUSPENSION OF COLLECTION ACTIVITY
ON THE LOAN AFTER RECEIVING THE TPD APPLICATION.

II. Plaintiff, Bobby Joe Steward resides at

1900 Mackey Ferry Road, MT. VERNON POSEY
street address city county

INDIANA, 47620, 812 831 3785
state zip code telephone number

(if more than one plaintiff, provide the same information for each plaintiff below)

III. AMERICAN STUDENT ASSISTANCE
POB 55215
BOSTON, MA 022055215

Defendant, WEST ASSET MGMT. lives at, or its business is located at

POB 790185, ST. LOUIS, _____
street address city county

MO, 0631790185
state zip code

(if more than one defendant, provide the same information for each defendant below)

- IV. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. You may use additional paper if necessary):

WEST ASSET MANAGEMENT, INC., ON BEHALF OF AMERICAN STUDENT ASSISTANCE, by its CORRESPONDENCE DATED, NOVEMBER 3, 2009, ADDRESSED TO PLAINTIFF, BOBBY J. STEWARD, IS ILLEGALLY ATTEMPTING TO COLLECT A DEBT THAT IS NOT OWED AND HAS BEEN PREVIOUSLY DISCHARGED AS A RESULT OF THE PLAINTIFF BEING PERMANENTLY AND TOTALLY DISABLED AND UNEMPLOYABLE, AND UPON APPLICATION FOR DISCHARGE OF SUCH STUDENT LOAN DEBT, SUCH STUDENT LOANS WERE DISCHARGED (TWICE).

By WEST ASSET MANAGEMENT, INC. ASSUMPTION THAT SUCH DEBT IS VALID, THE PLAINTIFF ASSERTS AND ARGUES THAT ACCORDING TO THE CHANGE MADE TO 437(b)(6) OF THE HIGHER EDUCATION OPPORTUNITY ACT (HEOA), CERTAIN VETERANS DETERMINED TO BE TOTALLY AND PERMANENTLY DISABLED AND UNEMPLOYABLE DUE TO A SERVICE-CONNECTED CONDITION.

ONCE THE DEPARTMENT RECEIVES THE DISCHARGE APPLICATION: TOTAL AND PERMANENT DISABILITY (TPD Application) [OMB NO. 1845-0065], THE LOAN HOLDER MUST SUSPEND COLLECTION ACTIVITY ON THE LOAN. (SPECIAL EMPHASIS).. BORROWERS WHO ARE GRANTED TPD DISCHARGE, THE OUTSTANDING BALANCE ON THE LOAN IS DISCHARGED IMMEDIATELY.

V. Relief: State briefly and exactly what you want the Court to do for you.

THIS PLAINTIFF SEEKS UNDER RICO, TREBLE THE AMOUNT SHOWN DUE BY DEFENDANT(S) WEST ASSET MANAGEMENT, INC. AND AMERICAN STUDENT ASSISTANCE, FOR \$16,399.07 "TREBLED" FOR \$49,197.21 COMPENSATORY AND FOR \$49,197.21 PUNITIVE, FROM EACH NAMED DEFENDANT.

THERE SHOULD BE A TOTAL AWARD TO THE PLAINTIFF IN THE AMOUNT OF \$196,788.84.

UNDER RICO, FREEZE THE FINANCIAL ASSETS OF WEST ASSET MANAGEMENT, INC.

FREEZE THE FINANCIAL ASSETS OF AMERICAN STUDENT ASSISTANCE.

VI. MONEY DAMAGES:

- A) Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES ☒

NO ☐

- B) If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

\$196,788.84. THE LANGUAGE AND PROVISIONS OF HEOA ARE ABSOLUTELY CLEAR, AND IT IS ALSO CLEAR THAT THE TWO NAMED DEFENDANTS ARE INTENTIONALLY VIOLATING THE LAW AND WILL CONTINUE UNTIL MONEY DAMAGES ARE AWARDED.

- VII. Do you maintain that the wrongs alleged in the complaint are continuing to occur at the present time?

YES ☒

NO ☐

I declare under penalty of perjury that the foregoing is true and correct.

Signed this ____ day of _____, 20____

Bobby Joe Steward
1900 MADGEY PERRY ROAD
MT. VERNON, IN 47620
Signature of Plaintiff(s)